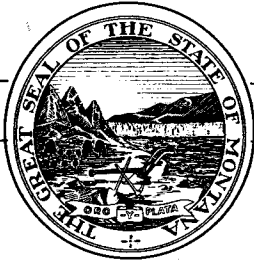


# OFFICE OF THE STATE PUBLIC DEFENDER



BRIAN SCHWEITZER  
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## STATE OF MONTANA

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44 WEST PARK STREET  
BUTTE, MONTANA 59701

SENATE JUDICIARY

EXHIBIT NO. 2

DATE 2/4/09

BILL NO. SB 236

February 3, 2009

Ms. Rachel Carroll  
Montana Human Rights Network  
PO Box 1509  
Helena, MT 59624

Dear Ms. Carroll:

This letter provides you with information that you requested regarding expenditures made by the Office of the State Public Defender (OPD) for three cases defended by the agency.

The first case that you mentioned was the State of Montana vs. Lebrum, filed in Gallatin County, whereby the state was initially seeking the death penalty. OPD records indicate that approximately \$115,000 was expended to defend this case.

The next two cases include the State of Montana vs. Kirkbride and the State of Montana vs. Rickman, filed in Lewis and Clark County, whereby the state did not seek the death penalty. The crime was committed in mid-December 2006, the individuals pled in mid-January 2007, and sentencing was in April 2007. OPD records indicate that approximately \$3,200 was expended to defend these cases.

Please be aware that cases of this nature may go to appeal, post-conviction relief, and sentence review which would add additional expense.

If you have any questions, please call me at 406-496-6084.

Sincerely,

Harry Freebourn  
Administrative Director

SB 236  
Jacqueline Denmark